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ABSTRACT

Due to their lack of knowledge concerning legal aspects of education, the staff of a preschool was uncertain about the legality of accepted practices in early childhood education and, consequently, exhibited low morale. To remedy the situation, the director of a preschool and kindergarten implemented and evaluated a 10-week practicum intervention designed to acquaint staff members with legal issues concerning their jobs. A legal expert was consulted and changes in school policies were recommended. A series of workshops addressed these areas of concern: (1) child abuse; (2) negligence; (3) safety and first aid; and (4) children's school records. Each workshop focused on legal questions and ways the staff could function professionally while protecting themselves from legal action. Evaluation data suggested that the intervention was effective. Interaction in workshops led to increased closeness and higher morale among participants. Practices that might be considered legally questionable or lead to legal accusations were modified by most participants. Although some staff members became overly cautious after learning about possible legal problems, most felt more confident than before instruction. Appendices provide related materials, including tabulated questionnaires, interview questions, proposed additions to school policy, and workshop handouts. (Author/RH)

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Increasing Pre-school Staff Awareness of their Legal Responsibilities through Training and a Series of Workshops

by

Felicia Glantz

Cohort 35

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A Practicum Report Presented to the National Mater's Program for Child Care Administrators in Partial Fulfillment of the Requirements for the degree of Master of Science

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AUTHORSHIP STATEMENT

I hereby testify that this paper and the work it reports are entirely my own. Where it has been necessary to draw from the work of others, published or unpublished, I have acknowledged such work in accordance with accepted scholarly and editorial practice. I give testimony freely, out of respect for the scholarship of other workers in the field and in the hope that my own work, presented here, will earn similar respect.

2/22/91
Date

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Abstract

Increasing Pre-school Staff Awareness of Their Legal Responsibilities Through Training and a Series of Workshops. Glantz, Felicia. 1991: Practicum Report, Nova University, Master's Program for Child Care Administrators. Descriptors: Workshops / Staff Development / Inservice Training / Legal Problems / Children's Recordkeeping / Pre-school Education / Early Childhood Education / Young Children / Childcare / Private Education / Religious Education / Not For Profit Education

Due to a lack of knowledge concerning legal aspects of education, the staff of a pre-school was uncertain about the legal issues of education concerning accepted practices in early childhood education and a feeling of low professional morale among the staff.

The author designed and implemented a workshop series and written materials which acquainted staff members with legal issues concerning their job descriptions. A legal expert was consulted and changes in school policies recommended. The workshops series consisted of four sessions, corresponding to four areas of concern: child abuse, negligence, safety/first aid, and children's school records. Each workshop focused on legal questions and how the staff might function professionally yet be safe from legal action. The workshop approach allowed for sharing and interaction by the staff. This led to a closeness and higher morale by those who participated.

Survey questionnaires and interviews indicated a positive response by the staff. Changes in practices that might be considered legally questionable or lead to legal accusations have been modified by most participants. Although some staff members have become overly cautious due to learning more about possible legal problems of educators, most feel more confident due to knowledge gained. Appendices include tabulated questionnaires, interview questions and handouts from workshops.

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Chapter 1

BACKGROUND

School and Community Setting

Approximately 150 children attend the state licensed pre-school and kindergarten. This program serves children 18 months through six years old in classes geared to individual age groups. Children attend in various schedules from two half days to five full days per week. The program may include lunch and/or extended daycare hours.

The facility is housed in the lower level of a Synagogue building. The school has use of six classrooms and a multi-purpose room. Outdoors, there is a fenced, age appropriate, playground for use of the pre-school.

The school employs 16 staff members, a school secretary, and a school director. Teachers hold state certification in early childhood education and/or elementary education. Classroom assistants have practical experience, informal training, and a high school diploma. The ratio of staff to students is 1:4 to 1:10, depending on the age group of the students and state requirements.

Classes offer opportunities for socialization, development of cognitive skills, creativity in art, music, and movement. There is integration of Judaic cultural activities throughout the curriculum. Recently, a science lab and a computer have been added to be used as components of the program.

The community served is suburban, middle income, and professional. There is a large Jewish population, including recent immigres from Israel and Russia. Only a small percentage use the extended hours offered.

As the school director, the writer is involved in all aspects of the school educationally and administratively. The responsibilities of the writer include: development and quality of programs, training, supervision and evaluation of staff, recruitment and orientation of personnel, professional enrichment, parent education, budgeting, purchasing, public relations, advertising, fund raising, compliance with state and local licensing requirements and laws, participation in policy decisions with Board of Directors.

The writer's background consists of a Bachelor's degree in business administration. State certification in early childhood and elementary education has been attained through a twenty six credit university program. Ten years of teaching and curriculum experience in early childhood classes and kindergarten classes complete the writer's experience.

Chapter 2

STUDY OF THE PROBLEM

Statement Of The Problem

The identifiable problem for this practicum proposal was the lack of knowledge by a pre-school staff relating to their legal responsibilities as school employees. Without this knowledge, the school staff could not fulfill or understand their legal responsibilities relating to their job descriptions. Due to the lack of this specific knowledge, the employees and the school had been subject to possible lawsuits, removal of a student, negative public relations with parents, and poor staff morale.

At the start of this practicum, the school administration had not provided specific legal information or a written staff policy concerning staff legal responsibility. Children's records, child abuse and neglect, safety and first aid on the school premises had been determined to be the areas in which legal knowledge was deficient. This determination came about through actual events in which the school administration and staff lacked correct legal information.

During the last year, there were two instances when legal action was either threatened or implied by parents. In both cases, the school administration and individual staff members were involved. The staff members expected the school administration to give them specific information and support.

The school administration did not have the legal information or written policy regarding the legal issues involved. This led to a period of confusion, frustration, and anger by the parents and the staff members involved.

A result of these incidents was the eventual parental removal of a student from the school. This action percipitated some negative word-of-mouth publicity in the community served. It cannot be determined how many future students may have been lost due to this factor.

The school administration had determined that a void of information and written policy existed in four specific areas of staff legal responsibilities. Each of these issues had caused specific and observable problems within the school. The administration has made a commitment to educate the school staff concerning these issues and have formed a written school policy incorporating legal responsibilities of staff in the specific areas that were identified.

Evidence Of The Problem

Evidence of the stated problem was documented by the results of a questionnaire completed by 13 staff members. Also offered as evidence of the stated problem were two actual cases concerning students, parents, and staff. In both of these incidents, legal action against the school and staff was either threatened or implied.

The first case occured on August 7, 1989. It involved a five year old boy who jumped from the top of the climbing apparatus in the school playground. The staff members present

were otherwise occupied and did not see the child jump.

The child landed in a standing position and complained that his neck hurt. The child related that he did not bump his neck on the climber. He was asked to move his head from side to side and up and down. Moving his head back caused him pain. A staff member applied ice to the back of his neck.

As per school policy, the child's mother was called and advised of the situation. She came to the school and took the child to see his physician. The child then went to the hospital for X-rays of the area as a precaution.

A follow-up telephone call was made to the parent later that same day. At that time, the school was advised that the child had a simple muscle strain. The child returned to school in one day.

The incident was documented in an accident report filed August 7, 1989, (Appendix A,38) It was noted that the director spoke to the staff concerning the need for an improvement in supervision on the playground. There was also a discussion of enforcement of playground rules and instruction of proper use of the playground equipment.

On August 15, 1989, the child's mother came to the school office to see the director. She contended that the school employees had used poor judgement in treating her son's injury. According to her physician, the student should not have been asked to move his head, and no ice should have been applied. She stated that she might have grounds to sue the school and/or the staff members involved.

This situation brought forth much anxiety by the staff members involved and others on the staff. The school administration and staff are concerned about the legal questions of negligence and first aid. Due to this case, there are staff members who refuse to treat even the most minor bumps or cuts for fear of legal liability.

The second case documented concerns parent's rights relating to school records. Part of the problem in this case was whether or not teacher's anecdotal notes are part of a student's school records.

On April 25, 1990, copies of a student's school records were requested by his parents. The parents signed a release form and were given copies of the child's health records and three student evaluation forms. The evaluation forms were filled out during November and May of each year by the child's teacher.

Later that day, the parent called and expressed annoyance that teacher's anecdotal notes were not included. At that time, the parents were told the school does not consider the notes as part of the school records. They were also told that they or someone designated by them were welcome to speak with the staff concerning the child. The parents made it clear that this was not acceptable to them.

On May 6, 1990, the school received a letter from the child's psychotherapist requesting school records and specifically anecdotal notes (a signed release form by the parents was enclosed). The school director telephoned the therapist

on May 7, 1990. The therapist was told she would receive health forms, school evaluation forms, and a narrative of the child's years at the school. The therapist was invited to speak with the child's previous teachers. She was also told the anecdotal notes were not part of the student's school records. On May 14, 1990, the items mentioned above were sent to the therapist. At this point, the school believed this matter to be settled.

As per school policy, the parents were called by the school secretary due to non-payment of the child's tuition for the month of May. The parent's response was that there would be no further tuition payments until the anecdotal notes were forwarded to them. Later that day, the parents were abusive to the school director concerning the notes and the non-payment of tuition. There was the implication of legal action by the parents.

A letter was sent on May 24, 1990 from the school Board of Directors to the parents, again stating the school's policy regarding anecdotal notes. The letter also stated that the child could not be allowed to continue at the school without tuition payments. On May 25, 1990, the parent came to the school office. The parent was very angry and loudly abusive. Again, legal action was implied against the school. The student was removed from the school at that time.

At this point, a number of parents were called by the parents involved complaining of poor treatment. Also, the President of the Synagogue and a member of the Nursery School

Board of Directors were called by the parent. When both reviewed the case, they agreed with the school's policy regarding the notes.

To further document evidence of a lack of legal knowledge concerning the specific areas identified, a questionnaire was written. Seven questions were designed to define the amount of legal knowledge the staff had concerning their responsibility in the areas of negligence, student records, child abuse and neglect, safety, and first aid. The last question was designed to elicit feelings of uncertainty the staff had concerning their knowledge or lack of knowledge in this area.

It was decided that a question answered correctly by 80 percent of the participants showed a high degree of knowledge by the staff. A moderate degree of knowledge was noted when 70 percent of the participants answered correctly. Less than 70 percent answering correctly determined the need for staff education in each specific area.

Thirteen staff members completed the questionnaire. One staff member was absent and another staff member did not return it in time for tabulation (see Appendix B, 39 for questionnaire and tabulated results).

In only one question out of the seven were staff's answers above 80 percent, showing a high degree of knowledge. Question eight, which elicited staff feelings concerning their knowledge of legal issues relating to their job, showed 80 percent felt uncertain in this area. These factors indicated a documented lack of knowledge in the areas examined.

Analysis Of The Problem

An analysis of the lack of knowledge by the staff concerning their legal responsibilities led to questions concerning the staff's awareness of the problem. Six staff members were interviewed (Appendix C, 40) concerning staff legal responsibilities. The results were applicable in that they revealed the staff had many concerns in this area.

One of the major concerns of the staff was that the fear of legal liability might be hampering staff's ability to do their best work. The staff members interviewed were troubled by fear of accusation of sexual abuse of students. Another area that troubled staff members was fear of liability in the case of a child in their care getting hurt. If a child were hurt, who should decide on immediate treatment, and is the person helping the child liable in any way?

The staff members interviewed believed the legal questions and concerns stated earlier may have caused them to change their professional behavior. Uncertainty of what was prudent behavior had caused staff members to refrain from accepted practices in early childhood education.

With the aforementioned fear of legal problems, one would hypothesize that the staff was extremely careful in their school routines. An observation of school routines highlighted a number of areas where staff put themselves in jeopardy. This seemed to be a question of ignorance of possible legal consequences.

Two examples of behavior which was questionable were noted. Staff members continually obstructed viewing areas to classrooms. If they were concerned about possible accusations of sexual abuse this was unwise. Also, staff socialized while supervising students in the playground. This could be sighted as negligence if a child were injured.

An interview with two members of the school Board of Directors shows a lack of knowledge concerning legal issues. Both agreed that legal issues are handled on an emergency basis. There was no legal consultant to this Board of Directors. They were also unsure of insurance coverage and liability in problem situations. In the past, all legal problems were handled as they happened. The school board considered "luck" a factor in avoiding legal problems. (Appendix D, 41)

The staff, administration, and school board all agreed that a lack of school policy and guidance in the above mentioned areas have added to the problem. Although the symptoms of the problem were observed through staff action, the problem was caused by the school board's lack of information and implementation. Alleviating the problem had to begin with school policy and continue through implementation and staff education.

Relationship to the Literature

The review of the literature related to the proposed practicum problem indicates that the legal aspects of

education are of concern to many educators. Information concerning negligence by staff seems to be needed. Concerns in this general area have been voiced consistently at professional workshops and conferences. The threat of legal action due to negligence is the cause of much staff concern. There are some common sense ways to escape the possibility of legal action. Staff and administration should be aware of these suggestions to avoid being considered negligent. (Permuth 1979)

It is important to note that seemingly innocent actions by educators have put these educators in legal jeopardy. There are many cases that include federal legislation concerning requirements for staff reportation of suspected child abuse. Individual states also have laws regarding the reportation of suspected child abuse. Staff members should have knowledge of their responsibilities in reportation and knowledge of their rights if accused of child abuse. (Gittins 1986)

Because educators want to feel secure in their work, the educators themselves may ask for guidance in this area. A survey was given to a faculty at a community college. The survey was planned to select areas of interest and importance to the faculty. The topics would then be included in an in-service program. Legal aspects of education was one of the four major categories selected. (Pedras 1983)

Chapter 3

GOALS AND OBJECTIVES

The goal projected for this practicum was to provide a pre-school staff with an awareness of their legal responsibilities as school employees.

Over a period of ten weeks, the school board of directors displayed responsibility for the guidance of the school policy in the identified areas of student's records, child abuse and neglect, and negligence (including safety and first aid).

At the end of the ten week implementation period, the participating staff increased their group knowledge to at least 80 percent correct concerning each question, one through seven, in the questionnaire originally given on November 7, 1990.

At the end of ten weeks implementation period, the participating staff gained confidence in knowledge of their legal responsibilities as evidenced by 80 percent of participants answering false to question eight in the questionnaire originally given on November 7, 1990.

At the end of the ten week implementation period, the participating school staff demonstrated more positive attitudes as evidenced by director observations of their work concerning staff legal responsibilities specified and by the staff's own reports.

Chapter 4

SOLUTION STRATEGY

Information Collection

In considering solution strategies for increasing staff knowledge of their legal responsibilities, the literature review revealed some alternatives. While considering these alternatives, it was important to examine whether they fit the specific situation of the practicum proposal. Some alternatives needed revision to fit the situation at hand.

The review of the literature revealed that written materials and staff guides have been used as vehicles for staff education. General and/or specific information was gathered from this type of material. There are guides that use a simple direct approach. Legal terms are defined for the educator and a simple explanation is offered as to proper behavior. This may help a staff be aware of exactly what is legally expected in a certain area, such as negligence (Lutheran Church 1978). Other guides may be more detailed and contain references to actual legal cases. They may get into more specific areas such as field trips, medications, child abuse, and equipment facilities and supervision of students. (Mawdsley 1983)

When a more indepth knowledge is desired, the review of literature indicates a number of different approaches to

accomplish staff educational objectives. Written materials used in conjunction with staff committees and short-term workshops may be used in the development of a model for staff inservice. Active participation by all staff is important for the success of this type of program. (Pedras 1983)

Other programs developed with various approaches use materials, workshops, a bibliography, and a book of readings. (Stiles 1985) One such program organized workshops, field observations and discussion, analysis and evaluation by staff into a three step program for staff inservice. (Jasik 1981) Audio visual aides may also be used in conjunction with any of the above mentioned in-service. (Winnicht 1971)

Whatever approaches are used, they would not be successful if they are ill-suited to the stage of development of the program. Katz, as cited by Winkelstein (1976), describes different stages in the development of teachers and considers the specific training needs that teachers have at each of these stages. And, although staff members may be at different stages, it is the level of development of the overall program that should be used in selecting the type of in-service training.

There are three stages of development of a program. Each of these is suited to one or more of three training types of models. These are materials model, advisor/consultant model, and insider trainer model. Each of these

specific purposes have pros and cons concerning each stage of development. (Winkelstein 1976)

The varied in-service choices should be considered in conjunction with the program's needs and constraints. Size of program, costs, physical facility, and time must be considered. In any case, having effective feedback and evaluation techniques should be included as an integrated part of the program. (Lhota 1976)

Strategy Decisions

The strategy decisions for this practicum proposal began with the approach to solving the problem. Three approaches were used in conjunction and have been planned for this established program.

A workshop concerning staff responsibilities about child abuse and neglect, and a workshop concerning first aid training made use of outside consultants. A legal consultant was brought in to review the centers policies and procedures and answer questions concerning the law. Staff participation in the workshops and the use of outside experts allowed the staff to get the specialized knowledge that gave them a broad base of knowledge in these areas.

Cost restraints were an important reality when using outside consultants. Therefore, outside consultants were located at little or no cost to the school. The state, universities, and social groups were, in many cases, good resources for low cost or no cost training programs. In this

case, only the first aid training needed a dollar allocation.

Included in this program were written materials such as a staff guide concerning negligence and a reprint concerning student's records. In these areas, the written materials served as a reference to review various situations that the staff may encounter while at school. Written materials can also be easily used by new employees.

The third approach was the active participation by the staff. Sharing of ideas, questions, suggestions, and evaluations brought together the first two approaches in a realistic and personalized structure for implementation.

So that staff participated fully, the question of scheduling was addressed. In this situation, staff schedules were such that lunch meetings have been traditionally used for staff meetings and this was continued for this proposal. The first aid workshop needed to be scheduled during the evening due to its length. With staff cooperation, the scheduling was not a problem.

Report of the Action Taken

This practicum proposal was implemented over ten weeks. Listed below are the tasks and/or events that actually took place during each week. The approaches used were workshops, policy review, legal consultation, staff participation, and the development of written materials.

Week I

The State Division of Youth and Family Services was contacted, and a date for a staff workshop concerning child abuse and neglect was confirmed for week four, beginning 11:30 a.m. A state social worker was assigned to implement this workshop. The school director was contacted and the social worker was given background concerning the school, the staff, and the proposed practicum report. There was no charge for this workshop; it was a service of the State Division of Youth and Family Services.

The American Red Cross was contacted and a four hour first aid workshop was scheduled for week eight, starting at 6:30 p.m. An instructor was assigned to implement the workshop. The maximum of eight staff members signed up to participate in the workshop. The cost of this workshop was $350.00.

On December 18, 1990, a meeting was held with the school board of directors for the purpose of formally presenting and reviewing the practicum proposal. Also, presented were the approaches chosen as possible solutions. The calendar of events was presented. Approval was sought and received for necessary funding, materials, and changes in staff schedules. The Board of Directors was supportive of the proposal and committed their knowledge and assistance to the project.

When the choice of a legal consultant was discussed, the Board of Directors suggested that the legal consultant to the Synagogue was the most likely candidate. This was due to his familiarity with the history and policy of the school and the facility in which it is housed.

The proposed legal consultant was contacted, and the practicum proposal was reviewed. The role of the legal consultant was discussed and modified from the original proposal. It was agreed that the legal consultant would review written materials and be available to answer questions which might be posed by the participants. This differed from the proposal in that originally the legal consultant was to be present at the school for meetings and observations. Due to professional responsibilities, the legal consultant could not be physically present at the school during daytime hours. It was decided that communication would be handled by telephone and mail.

On December 19, 1990, a meeting was held with participating staff, and the practicum proposal was discussed. The staff displayed an enthusiastic attitude concerning their participation in this project. A proposed schedule of events was reviewed (Appendix G.44) and there was a discussion concerning schedule changes.

Although it had been planned that all staff would attend all workshops, it became obvious that this could not be accommodated. The lunch staff would have to rotate

so that each member would attend at least two workshops. This was not optimum, but the best that could be scheduled without further expense. The above situation might have been avoided by the use of volunteers to supervise the lunch program. The search for lunch volunteers should have been started early in the planning for the practicum activity.

The staff meeting continued with a review of the four areas defined for the practicum proposal and a recent history of legal issues at the school. Staff members discussed how they had been affected by these issues in the past. The meeting ended with a staff member volunteering to take minutes at subsequent meetings and workshops.

It should be noted that one staff member displayed a negative attitude toward the practicum activities.

A weekly log was started and recorded concerning all practicum activities related information and events. This log was recorded weekly for the duration of the practicum.

Week II

The scheduled meeting with the legal consultant was cancelled due to schedule conflicts.

Research for the staff guide to negligence commenced. It was decided to keep the guide short, simple and to the point. This would make it more readable and understandable to all staff members.

All rooms needed for scheduled workshops were reserved. Room preparation orders and instructions were given to the building custodian.

On December 28, 1990, a meeting was held with the Nursery School Board of Directors. Originally, this meeting was scheduled for week three, but due to schedule conflicts, it was moved up. This change did not have any significant impact on the practicum.

At this meeting, an overview of the staff guide to negligence was presented and discussed. The Board of Directors were made aware of the legal problems that Board members and principals might face concerning the issue of negligence. It was decided to explore these issues at another time. Unfortunately, due to time restraints, the proposed additions to school policy were not discussed.

Week III

Ongoing work for the staff guide concerning negligence continued.

Week IV

On January 9, 1991, a workshop concerning the subject of child abuse and neglect was presented by a social worker from the State Division of Youth and Family Services. The definition of child abuse/neglect, statistics concerning abuse/neglect in the state, and how a social worker fulfills her job description were discussed. Also explored were the areas of child care workers, their responsibilities, and how

child care workers can protect themselves against accusations. There was a discussion and suggestions concerning both topics. Written materials were distributed to the staff. (Appendix H:45)

On January 4, 1991, a staff meeting was held to discuss the workshop concerning child abuse and neglect. The feedback from the staff was extremely positive. Some staff members expressed concern over situations where they must be alone with a child. Alternatives were discussed, such as which lavatory to take a child to, staff members avoiding the use of lavatories designated for children, and staff members being observable at all times.

Suggestions discussed at this staff meeting were incorporated into proposed written school policy.

The staff did not have any questions to send to the legal consultant concerning child abuse and neglect. They decided the issue had been adaquately covered by the state social worker.

At the end of this week, the staff guide to negligence (Appendix I:46) was completed and forwarded to the legal consultant for review.

Week V

On January 22, 1991, during the scheduled Board of Director's meeting, the staff guide to negligence was presented and reviewed. A report was given concerning the staff workshop on child abuse and neglect. Staff concerns were discussed and options for dealing with those concerns were

considered. Suggestions concerning policy additions in these areas were explored.

On January 24, 1991, the mid-course staff observation was completed. Any changes in staff behavior concerning the legal issues identified were noted.

Week VI

The staff guide to negligence was accepted by the legal consultant. A suggestion was made by the consultant to incorporate other written school policy concerning corporal punishment, discipline, and medical emergencies within this guide.

A letter of appreciation was sent to the legal consultant and an update concerning the practicum activities. It was also noted that the proposed additions to school policy would be forwarded shortly.

On January 25, 1991, the scheduled workshop concerning negligence was presented by the school director. The staff guide was distributed, reviewed, and discussed. The importance of proper supervision was stressed. The staff members had questions concerning the availability of professional liability insurance and the cost of such insurance.

Due to time constraints, role playing situations were omitted from the workshop. It should be noted that the lack of time was an ongoing problem. It would have been an improvement to have at least two hours to fully explore each workshop topic scheduled.

A workshop was scheduled for week seven due to an omission in the meeting schedule.

Week VII

On February 1, 1991, an informal workshop was held by the school director to review the reprint "Your Child's School Records." (Appendix J:5D A situation that had taken place at the school concerning teacher's anecdotal notes was discussed. The section of the reprint concerning private schools was explored, as was the section concerning teacher's anecdotal notes. It was decided that informal school policy concerning teacher's recording of these notes would remain in effect. Teachers would use these notes for their own purposes and evaluations. If these notes were shared with other teachers or reviewed by the director, they would become part of the child's school record. However, it was also noted that as a private school, there is no obligation to share children's school records with parents.

Week VIII

On February 6, 1991, a workshop on first aid was presented by a representative of the American Red Cross. The first aid manual was not delivered early in the week as was planned, but this did not effect the value of the presentation.

The four hour workshop incorporated viewing of a video tape, reviewing a first aid manual, and practical work in bandaging, pressure dressing, etc. Seven staff members participated. All participants passed the test and were certified in first aid. (CPR certification was gained through a previous workshop) The eighth staff member scheduled to participate was ill and could not attend.

On February 5, 1991, at a Board of Director's meeting, the proposed written policy additions were presented (AppendixK:52) and discussed. The Board of Directors will study the proposed additions. They reacted favorably to the proposed additions when they were presented.

The post practicum questionnaire was distributed, completed, and returned by participating staff members.

A post practicum interview was completed with each participating staff member (Appendix E: 42)

Both of the above mentioned activities had originally been scheduled for week nine, however, it was deemed important for the staff to have this feedback at the week nine meeting.

The Synagogue's insurance company (which also covers the school and school employees) was contacted and pertinent insurance was reviewed.

Week IX

On February 15, 1991, the final staff meeting of this practicum was held. The proposed policy changes were presented and reasons for each were reviewed.

Questions concerning insurance were answered. It was noted that five staff members have been successful in having professional liability insurance attached to their already existing policies at a minimal cost. Other staff members were in the process of obtaining such insurance.

The results of the tabulation of the questionnaire was reported. The questionnaire was reviewed and answers discussed.

There was a discussion concerning the workshops and what was learned from each. It was noted that a general feeling of fear and worry concerning legal issues was actually increased by some of the material presented. This was especially true concerning the areas of child abuse and neglegence. Learning how to protect oneself by changing school routines helped somewhat to relieve anxiety in those areas.

The staff had favorable comments concerning the practicum. It was agreed that they have more valid information and feel more secure now. It was noted by a number of staff members that they think in advance concerning possible dangerous or questionable situations.

Time and scheduling were the subject of other comments. The first aid workshop was too long for an evening meeting; it should be scheduled for another time. The lunch staff were unhappy that they could not attend all workshops. Volunteers should be recruited for this purpose. Other than these comments, the staff was positive and pleased with the results.

The final observation of staff was completed, any changes in behavior related to the legal issues identified were noted.

Week X

The final practicum report was completed, and the results analyzed.

Chapter 5

RESULTS, CONCLUSIONS, AND RECOMMENDATIONS

In this section, the criteria concerning the stated practicum goals will be compared with the actual practicum results. When reviewing the following outcomes concerning the measurable results, it is clear that the goals of this practicum have been fulfilled.

The first stated goal dealt with the school board of directors taking responsibility for the guidance of the school in the area of legal issues. Achievement of this goal was reached by proposed additions to written school policy in the four identifiable areas of this practicum. Information gleaned from research was combined with input from staff and observations of staff procedures to form the basis for the proposed additions to written school policy (Appendix K:52)

Each specific addition to policy corresponded to one or more of the identifiable areas of legal issues addressed. Numbers one through nine of the proposed policy additions are concerned with the area of negligence. Additions numbered two and three address the area of safety and first aid. Additions numbered four, five, six, and seven address the identified area concerning child abuse. Number eight in

the proposed additions correspond to the identified area of student's school records, specifically, teacher's anecdotal notes. Number nine addresses written policy for releasing a child to a non-custodial parent, and number ten concerns the board of directors as well as staff. The last two proposed additions were included because they were noted policy omissions in the area of negligence.

Much of what was written in the additions to school policy were considered informal policy in the past. When the school has written policy there leaves no room for doubt by staff members concerning procedures. This educates the staff, alleviates misunderstandings, and legally protects the school.

The second stated goal of this practicum concerned the pre-practicum and post-practicum questionnaire. It was a stated goal that staff would increase their knowledge to 80 percent correct in questions one through seven of the post-practicum questionnaire. This questionnaire assessed the staff's knowledge concerning the four identified areas of legal issues presented in this practicum.

The tabulated post-practicum questionnaire (Appendix F: 43) illustrates the success of the second goal. The participating staff was at least 80 percent correct in all questions in the post-practicum questionnaire. In six out of the seven questions, the staff scored above 80 percent correct. This shows a great deal of knowledge gained during the ten weeks of this practicum.

The third goal dealt with raising the staff's feelings of certainty and confidence of legal knowledge concerning their work-related responsibilities. This goal stated that the staff would exhibit feelings of confidence by 80 percent answering false to question number eight in the post-practicum questionnaire. The results show that 85 percent of the participating staff answered false to question eight. This clearly demonstrates a feeling of certainty concerning their understanding of legal issues effecting their job description.

The final goal stated for this practicum concerned feelings and behaviors of participating staff. This criteria is more subjective and more difficult to measure. It should be noted that at times the information collected from observations and interviews was ambiguous in nature. Various participating staff members had opposing views on material presented to them. Staff came to the inservice with their own unique backgrounds, knowledge, and feelings. Staff sharing, input, and feedback was an interesting and enlightening facet of this project.

It was expected that participating staff would demonstrate more positive attitudes as evidenced by observations and by their own reports. Observations of staff behavior were made pre-practicum, during week five and during week nine of the implementation period. The behaviors noted were observability of staff and supervision provided by staff.

The comparisons of the three observations illustrate a change in staff behaviors. During the first observation, it was noted that most view windows were obstructed and staff supervision of children in playground was unsatisfactory. The observation during week five noted most view windows were unobstructed. In order to be more observable, staff members changed certain behaviors on their own. This change involved escorting a solitary child to the bathroom between two active classrooms rather than an isolated hall bathroom.

Due to inclement weather, the staff was observed in the multipurpose room supervising similar large motor-play as in the playground. During the observation conducted on week five, it was noted that little change in supervision of children had taken place. There was still staff socializing, rather than actively supervising the students at play-time.

The final observation was conducted during week nine, after most practicum activities had been concluded. It was noted that all view windows were unobstructed, the staff inspired bathroom procedures was being implemented, and more staff members were actively supervising the students in the multipurpose room. Staff members were observed standing at climbing equipment and concentrating fully on the student's activities. Unfortunately, not all staff members had changed their behavior in that area.

The conclusions drawn from the observations illustrate that legal knowledge has been gained and implemented by most staff members. Of all criteria, the implementation is most important, as is the observed changes in behavior by staff members during weeks five and nine.

There was another part to the final goal for this practicum. This part concerned feedback from participating staff. This was accomplished by interviewing each participating staff member at the end of all practicum activities. (Appendix E, page 42) There were also informal discussions and comments from staff concerning their attitudes and feelings about the identified legal issues.

Staff members were quite positive concerning their understanding of their legal responsibilities. All participants believed that they understand their legal responsibilities. They also communicated that they now have the ability to apply this knowledge to their work. Two staff members mentioned that they feel more at ease due to this knowledge.

When discussing changes in work habits or procedures at school, only four staff members believed that they have changed their behavior. The changes mentioned were: less touching of the children, being more aware of hazardous situations, and changes in bathroom procedures concerning children. Yet, it was noted in the observation of the staff that supervision practices and procedures to assure observability of staff had definitely changed for most of the staff.

The interview question concerning any differences noted in other staff member's attitudes, procedures or work habits received a positive response. Eight staff members responded that their colleagues were more careful, more aware when supervising students, asked more questions concerning school policy and procedures, were more interested in insurance coverage concerning their jobs.

In the area of comments, questions, and suggestions concerning the practicum, the majority of staff members observed that the workshops were helpful to them, and they felt secure in the knowledge they had gained. Two staff members commented that at first the knowledge of possible legal actions and accusations facing educators freightened them. But, after learning how to take precautions and protect themselves, they felt more at ease with the situation.

Negative comments mainly concerned scheduling of workshops at inconvenient times. This refers to the evening first aid workshop. Another negative comment involved not having enough volunteers to allow the lunch staff to fully participate. Other than some staff members feeling dismayed over child abuse statistics, the comments were remarkably positive.

The conclusions reached concerning the outcomes of this practicum deal with the success of the inservice and its implications to the school. The goals and objectives for this practicum for all intents and purposes were fulfilled. The staff gained knowledge and confidence in their ability to deal with legal issues at school. The Board of

Directors has taken an active role in guiding the school through policy additions and modifications.

The approaches used in the practicum were, also, succesful, especially the use of outside consultants for workshops. This seemed to motivate the staff. Perhaps due to the mature stage of the program, insider trainer workshops did not have as positive an impact. (Winkelstein 1976)

Staff cooperation was at an all time high during and just after this practicum. The staff's cooperation, effort, and feedback were obvious in the practicum work. Interestingly, it was observed that this cooperation carried over into other areas. Staff cooperation and cohesiveness was noted in discussions about curriculum concerns, professional enrichment, and staff benefits. This was truly an unanticipated outcome from a training program concerning the legal issues of education.

In summation, it should be noted that through this practicum the staff increased their awareness of their legal responsibilities concerning their job descriptions. The learning models implemented used varied approaches, including outside consultants and written materials. Staff cooperation and sharing proved to be extremely important to the program. Through the use of these activities, measurable goals for this practicum have been achieved. And, finally, staff morale is on the rise in the area of legal issues and in other areas as well.

In order to further the benefits of this practicum, certain recommendations have been made, they are:

1. Retain the legal consultant for ongoing matters.
2. Consolidate all written school policy.
3. Recruit volunteers to releave staff during inservice.
4. Schedule workshops, so there is more time for each.
5. Use video camera to record staff procedures, so that staff members can better understand their actual behavior.
6. Extend this practicum to include the school director and Board of Directors.

As a follow-on to this practicum, two observations should be made of staff procedures, supervision of students and for any repairs needed in the physical facility. One staff meeting each year should be devoted to a review of this practicum program and a discussion of problems, concerns, or suggestions relating to legal responsibilities. A yearly discussion with a legal consultant to update the program about new laws would be advisable.

Orientation of new employees is an opportunity to introduce written materials concerning legal responsibilities. A review of center policy is essential in all areas including the legal aspects of policy. The new employee should be required to fulfill first aid training for American Red Cross certification.

Because legal concerns are of importance to educators, a workshop based on this practicum should have an interested audience at other centers. Use of this program

in similar work settings could be a valuable tool for administrators. A workshop could be designed to be presented at early childhood conferences. The target audience would be directors and administrators of private schools. Use of directors groups and local NAEYC groups would be helpful in desemination and networking.

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Appendix

Appendix A

NURSERY SCHOOL/KINDERGARTEN

STAFF/STUDENT ACCIDENT OR INCIDENT REPORT

Name of Injured: _____ Age: _____

Address: _____ Phone: _____

Date of Accident/Incident: _____ Time: _____

Full Description of the Accident/Incident: _____

_____

_____

_____

Extent of the Injury: _____

_____

Treatment Provided: _____

_____

_____

Place the Injury Occurred: _____

_____

Names of People Present: _____

_____

What Measures Have or Should Be Taken to Prevent a Recurrence: _____

_____

_____

_____

Name of Person Making the Report: _____

Date: _____

Questionaire - November 7,1990

1. Parents have the right to review and copy their child's school records in all N.J. public and private schools.

True [9] False [4] correct 30%

2. Teachers' anecdotal notes are considered part of a child's school records.

True [8] False [5] correct 40%

3. In the case of suspected child abuse, you should delay reporting it to be sure it is actually abuse.

True [1] False [12] correct 90%

4. If you report a case of suspected child abuse or neglect, the parents may sue you if it is unfounded.

True [7] False [6] correct 50%

5. In case of a medical emergency anybody should try to administer CPR.

True [5] False [8] correct 60%

6. A child is injured while the staff member responsible for his/her care was talking with other school personnel. This is a possible case of negligence.

True [8] correct 60% False [5]

7. A staff member can be found legally negligent if they fail to report broken equipment, etc. to the director.

True [7] correct 50% False [6]

8. I feel uncertain about legal issues as they relate to my job description.

*shows need for education

True [10] *80% False [3]

Appendix C

Interview Questions For Staff Members

1. Do you understand your legal responsibilities concerning your job? What specific areas concern you?

2. What questions do you have relating to staff legal responsibilities?

3. Do your questions in this area ever hamper your job performance or those of other staff members? How?

4. What can be done to alleviate these problems?

Appendix D

Interview Questions For Board of Directors

As a member of the board of directors, are you aware of any legal issues that might be termed a "problem' to the school and/or the school staff? If so, what are these?

Do you feel as a member of the board of directors you have an obligation to protect the school and its staff from legal action. How can this be accomplished?

Are you concerned about your legal liability and/or responsibility as a member of this board of directors? Why?

Appendix E

Second Set of Interview Questions For Staff

Do you understand your legal responsibilities as they apply to your job description?

Have your work habits or procedures changed during the last eight weeks.

Have you seen a difference in your co-workers attitudes, procedures or work habits during last eight weeks?

Do you have any comments, questions, or suggestions for improving the legal aspects of education in your work place, or concerning any of the inservice in which you have participated during the last eight weeks?

Questionaire - FEBRUARY 1991

1. Parents have the right to review and copy their child's school records in all N.J. public and private schools.

		Correct
True [3]	False [10]	80%

2. Teachers' anecdotal notes are considered part of a child's school records.

		Correct
True [2]	False [11]	85%

3. In the case of suspected child abuse, you should delay reporting it to be sure it is actually abuse.

		Correct
True [1]	False [12]	90%

4. If you report a case of suspected child abuse or neglect, the parents may sue you if it is unfounded.

		Correct
True [1]	False [12]	90%

5. In case of a medical emergency anybody should try to administer CPR.

		Correct
True [1]	False [12]	90%

6. A child is injured while the staff member responsible for his/her care was talking with other school personnel. This is a possible case of negligence.

		Correct
True [12]	False [1]	85%

7. A staff member can be found legally negligent if they fail to report broken equipment, etc. to the director.

		Correct
True [13]	False [0]	100%

8. I feel uncertain about legal issues as they relate to my job description.

		*feel certain
True [2]	False [11]	*85%

Appendix G

Schedule of Events
Staff Meetings and Workshops

January 4th, Friday - Staff Meeting - 11:30

January 9th, Wednesday - Workshop - Child Abuse and Neglect - 11:30

January 11th, Friday - Staff Meeting - 11:30

January 25th, Friday - Workshop - Negligence - 11:30

*February 1st, Friday - Workshop - Student's School Records

February 6th, Wednesday - Workshop - First Aid - 6:30-10:30

February 15th, Friday - Staff Meeting - 11:30

*Please note that this workshop was added to the schedule.

DYFS - 2-78

REPORTING CHILD ABUSE IN NEW JERSEY

- In New Jersey, the Division of Youth and Family Services investigates reports of suspected child abuse and neglect.
- DYFS staff are available to receive referrals at the local district office from 9 a.m. to 5 p.m. and at the Office of Child Abuse Control (OCAC) at ANY HOUR (1-800-792-8610). Calls received at OCAC during normal working hours are immediately referred to the appropriate district office.
- DYFS accepts all reports of suspected child abuse and neglect and other referrals in writing, by telephone and in person from all sources including...identified sources, news media, anonymous sources, sources which have incomplete information, and referrals from the child or parent himself.

IMMUNITY FROM CIVIL OR CRIMINAL LIABILITY

- Any person who reports abuse or neglect, pursuant to the law or testifies in a child abuse hearing resulting from such a report, is immune from any criminal or civil liability as a result of such action.

PENALTY FOR FAILURE TO REPORT

- Any person who knowingly fails to report suspected abuse or neglect, pursuant to the law or to comply with the provisions of the law is a disorderly person and subject to a fine up to $500.00 or up to six months imprisonment, or both.

PHYSICAL AND BEHAVIORAL INDICATORS OF CHILD ABUSE AND NEGLECT

TYPE OF CA/N	PHYSICAL INDICATORS	BEHAVIORAL INDICATORS
PHYSICAL ABUSE	Unexplained Bruises and Welts: – on face, lips, mouth – on torso, back, buttocks, thighs – in various stages of healing – clustered, forming regular patterns – reflecting shape of article used to inflict (electric cord, belt buckle) – on several different surface areas – regularly appear after absence, weekend or vacation Unexplained Burns: – cigar, cigarette burns, especially on soles, palms, back or buttocks – immersion burns (sock-like, glove-like doughnut shaped on buttocks or genitalia) – patterned like electric burner, iron, etc. – rope burns on arms, legs, neck or torso Unexplained Fractures: – to skull, nose facial structure – in various stages of healing – multiple or spiral fractures Unexplained Lacerations or Abrasions: – to mouth, lips, gums, eyes – to external genitalia	Wary of Adult Contacts Apprehensive When Other Children Cry Behavioral Extremes: – aggressiveness – withdrawal Frightened of Parents Afraid To Go Home Reports Injury by Parents
PHYSICAL NEGLECT	Consistent Hunger, Poor Hygiene, Inappropriate Dress Consistent Lack of Supervision, Especially In Dangerous Activities or Long Periods Constant Fatigue or Listlessness Unattended Physical Problems or Medical Needs Abandonment	Begging, Stealing Food Extended Stays at School (early arrival and late departure) Constantly Falling Asleep in Class Alcohol or Drug Abuse Delinquency (e.g. thefts) States There is No Caretaker
SEXUAL ABUSE	Difficulty in Walking or Sitting Torn, Stained or Bloody Underclothing Pain or Itching in Genital Area Bruises or Bleeding in External Genitalia, Vaginal or Anal Areas Venereal Disease, Especially in Pre-teens Pregnancy	Unwilling to Change for Gym or Participate in PE Withdrawal, Fantasy or Infantile Behavior Bizarre, Sophisticated, or Unusual Sexual Behavior or Knowledge Poor Peer Relationships Delinquent or Run Away Reports Sexual Assault by Caretaker
EMOTIONAL MALTREATMENT	Habit Disorders (sucking, biting, rocking, etc.) Conduct Disorders (antisocial, destructive, etc.) Neurotic Traits (sleep disorders, speech disorders, inhibition of play) Psychoneurotic Reactions (hysteria, obsession, compulsion, phobias, hypochondria)	Behavior Extremes: – compliant, passive – aggressive, demanding Overly Adoptive Behavior: – inappropriately adult – inappropriately infant Developmental Lags (physical, mental emotional) Attempted Suicide

NATURE OF THE PROBLEM

LEGAL DEFINITION OF ABUSE IN NEW JERSEY

The New Jersey State Child Abuse and Neglect Law—(N.J.S.A. 9:6-8.9 *et seq.*) defines an "abused child" as:

1. A child under the age of 18 years whose parent, guardian, or other person having his/her custody and control:
   a. Inflicts or allows to be inflicted upon such child physical injury by other than accidental means which causes or creates a substantial risk of death, or serious or protracted disfigurement, or protracted impairment of physical or emotional health or protracted loss of impairment of the function of any bodily organ.
   b. Creates or allows to be created a substantial or ongoing risk of physical injury to such child by other than accidental means.
   c. Commits or allows to be committed an act of sexual abuse against the child.
2. A child whose physical, mental or emotional condition has been impaired or is in imminent danger of becoming impaired as the result of the failure of his/her parent or guardian, or such other person having his/her custody and control, to exercise a minimum degree of care:
   a. In supplying the child with adequate food, clothing,

PHYSICAL AND BEHAVIORAL INDICATORS OF CHILD ABUSE AND NEGLECT

TYPE OF CHILD ABUSE OR NEGLECT	PHYSICAL INDICATORS	BEHAVIORAL INDICATORS
PHYSICAL ABUSE	Unexplained Bruises and Welts: —on face, lips, mouth —on torso, back, buttocks, thighs —in various stages of healing —clustered, forming regular patterns —reflecting shape of article used to inflict (electric cord, belt buckle) —on several different surface areas —regularly appear after absence, weekend or vacation Unexplained Burns: —cigar, cigarette burns, especially on soles, palms, back or buttocks —immersion burns (sock-like, glove-like doughnut shaped on buttocks or genitalia) —patterned like electric burner, iron, etc. —rope burns on arms, legs, neck or torso Unexplained Fractures: —to skull, nose, facial structure —in various stages of healing —multiple or spiral fractures Unexplained Lacerations or Abrasions: —to mouth, lips, gums, eyes —to external genitalia	Wary of Adult Contacts Apprehensive When Other Children Cry Behavioral Extremes: —aggressiveness —withdrawal Frightened of Parents Afraid To Go Home Reports Injury by Parents
PHYSICAL NEGLECT	Consistent Hunger, Poor Hygiene, Inappropriate Dress Consistent Lack of Supervision, Especially in Dangerous Activities or Long Periods Constant Fatigue or Listlessness Unattended Physical Problems or Medical Needs Abandonment	Begging, Stealing Food Extended Stays at School (early arrival and late departure) Constantly Failing Asleep in Class Alcohol or Drug Abuse Delinquency (e.g. thefts) States There is No Caretaker
SEXUAL ABUSE	Difficulty in Walking or Sitting Torn, Stained or Bloody Underclothing Pain or Itching in Genital Area Bruises or Bleeding in External Genitalia, Vaginal or Anal Areas Venereal Disease, Especially in Pre-teens Pregnancy	Unwilling to Change for Gym or Participate in PE Withdrawal, Fantasy or Infantile Behavior Bizarre, Sophisticated, or Unusual Sexual Behavior or Knowledge Poor Peer Relationships Delinquent or Run Away Reports Sexual Assault by Caretaker
EMOTIONAL MALTREATMENT	Habit Disorders (sucking, biting, rocking, etc.) Conduct Disorders (antisocial, destructive, etc.) Neurotic Traits (sleep disorders, speech disorders, inhibition of play) Psychoneurotic Reactions (hysteria, obsession, compulsion, phobias, hypochondria)	Behavior Extremes: —compliant, passive —aggressive, demanding Overly Adaptive Behavior: —inappropriately adult —inappropriately infant Developmental Lags (physical, mental, emotional) Attempted Suicide

Knowing how to identify an abused or neglected child is the first step in protecting children and helping families.

BEST COPY AVAILABLE

Appendix I

Can I Be Sued?
A Staff Guide To Avoiding Legal Action Due To Negligence

Many educators are concerned about their liability in the area of negligence. Is this a valid fear?

"In recent years, educators have become prime targets for legal action.... It is hoped that through awareness of this problem, you may avoid legal action that is today most prevelant against educators - that of negligence".[1] Therefore, we must assume it is a valid fear.

What is negligence? The Encyclopedic Dictionary of School Law defines negligence as "the unintentional doing or not doing of something which wrongfully causes injury to another" [2]

An act of negligence can mean doing nothing, which results in injury to another. This is called an act of omission. An example of this might be two children running through a classroom with a sharp object while the staff member does nothing to stop them.

Doing something you should not have done which results in injury to another is called an act on commission. An example of this might be taking a child on a field trip without parental permission.

As an educator, what is expected of you to avoid being negligent?

I. Proper instruction - This includes...."...proper handling and use of potentially dangerous equipment and objects in the classroom. The age, background and experience of the student is also a factor in proper instruction" [3]

II. Proper supervision - This includes "...the staff members presence as well as intervention in potentially dangerous situations" [4]

Remember our students running through the classroom with a sharp object? Proper supervision is a staff members presence and intervention in that situation.

III. Proper Maintenance - This involves a staff member's "...reporting potentially dangerous playground equipment, classroom equipment and other potentially hazardous objects to proper authorities"[5] Reporting a sharp nail jutting out of a sand box or the reporting of the odor of a noxious chemical in a classroom would be examples of proper maintenance.

What can you do to protect yourself?

Use of these "rules of thumb" in your daily routines at school will help to avoid most areas of negligence.

1. Children under your care are never to be left unsupervised. If you must leave your group, it is best to get another staff member to superivse - but in no instance should children be left alone.

2. When working with young children, be aware that there is more responsibility for their protection and looking out for possibilities of harm than with an older group.

3. Discuss safety rules with even the youngest children and post simple rules in the classroom. Periodically read and discuss these rules with the students.

4. When going on a field trip, be sure all policy and procedure is followed (i.e. permission slips, need for warm clothing, etc.) When in doubt, recommend the child or children in question not go on the trip.

5. Discuss any concerns that effect the safety and well being of the children with the school administrator.

6. Be aware of widely reported legal developments in the media concerning educational legal developments. "Teachers are not expected to be constitutional scholars but are expected to be knowledgeable of the leading developments affecting their profession." 6

7. Check with your insurance agent concerning low cost professional liability insurance that can be added to a Home Owners Insurance Policy.

8. Always use your best judgement and common sense. Be conservative on the side of safety at school.

Footnotes

1 Permuth, Steven, "Can We be Sued If... A Look At Negligence And The Parochial School", Momentum, February 1979, pp. 11

2 Richard Gatti and Daniel Gatti, Encyclopedic Dictionary of School Law, West Nyack, New York, Parker Publishing Co., 1975 p. 176

3 Lutheran Church, Missouri Synod., Legal Requirements. Planning of Lutheran Elementary Schools, Part Two, St. Louis, Missouri. pp. 23

4 Ibid pp. 23

5 Ibid pp. 23

6 Ibid pp. 24

Appendix J

Summary of Pertinent Portions

Your Child's School Records

The pertinent portions reviewed by the staff regarding the reprint, Your Child's School Records, concerned two topics. The first topic was the parent's right to see and copy records. This portion discusses parent's rights to see and copy relevant records, types of information that must be kept by a school district, and in what instances school records do not have to be shared with parents. The area includes teacher's own notes and when a disclosure would be of risk to the student.

The other area reviewed by the staff concerns students not in public schools. This portion states that when a child is placed in a private school by the parent (with no state or federal funding), the parent is not entitled to rights regarding student records in public schools.

Other topics included in this reprint are the rights of noncustodial parents, the right of pupils to see school records, the right to keep others from seeing school records, the right to appeal, the right to correct or remove records, state versus federal law, and the right to complain to Federal government.

Proposed Additions to School Policy

1. There shall be proper and appropriate supervision of students at all times when at school or on school field trips.

2. All dangerous conditions should be reported as soon as possible to the school administration.

3. All staff members shall become Infant and Child CPR and First Aid certified by the American Red Cross within one year of employment.

4. View windows on classroom doors shall be unobstructed and classrooms will be viewable from the hallway.

5. Staff members should use the bathrooms on the upper level that are specifically for adults. If the lower level bathroom must be used by adults, it may only be used when no children are present.

6. A solitary child should be taken to the bathroom between classrooms 5 & 6 where other classes are in session.

7. Staff members should stand at the bathroom door when supervising children. This is so that the staff member may be seen from the hallway - yet can supervise the children. If a child needs help, the child should come to the staff member at the door.

8. Anecdotal notes should be recorded concerning each child for the teacher's own use. These notes should be referred to by the teacher when completing school evaluation forms and preparing for parent/teacher conferences.

9. A signed parental note is needed to release children to those other than their custodial parent.

10. Supervision, safety and school policy regarding both are to be the subject of two staff meetings and one Board of Directors meetings yearly.